



Advocacy for Survivors Affected by the Sexual Assault Exam Kit (SAEK) Backlog

I. Policy Statement

Access to services for survivors affected by the SAEK backlog provides a unique opportunity to engage survivors who may not have received comprehensive services at the time of the assault, and/or who may experience additional trauma due to new information resulting from the processing of their SAEK. It is best practice for the agency to work with law enforcement agencies in their service area to develop SAEK advocacy services, and when resources allow and within the parameters of mutual agreement with law enforcement, to provide advocacy services at the time of notification to survivors of the results of SAEK processing. At initial contact with survivors, or as soon as possible thereafter, survivors are to be provided with a description of services offered by the agency, as well as the potential benefits of using services to heal from sexual violence.

SAEK Victim Notification

Key Services for SAEK-affected Survivors

- Survivor-centered notification of the survivor of the results of their SAEK being processed, the status of their case and any new developments.
- Advocacy to address any immediate needs notification may cause, including support for trauma response, safety, confidentiality, and unique needs that will vary depending on each survivor and how their case progresses.
- Provision of information on the comprehensive array of services available for each survivor that are provided by SASPs.
- Offer for follow up contact for advocacy and assistance with accessing sexual assault services.

Best Practices for Initial Survivor Notification

- Information to be collected prior to notification includes: whether there was a CODIS hit; no CODIS hit; statute of limitations; any input from the district attorney's office (if applicable); resources for the survivor; and any explanation required for delay in testing the kit (law enforcement has primary responsibility for collecting this).
- Initial contact with the survivor is conducted by law enforcement by telephone with an advocate present, contact information, time and resources permitting. Survivors are offered options for hearing more about the results of their SAEK, including an in-person meeting with law enforcement and an advocate, information provided by conference call with law enforcement and an advocate, or another method of the survivor's choice. Initial contact should include acknowledgement up front of the time delay regarding untested kits. If/when appropriate, discuss the issues for the delay and the process that is taking place to resolve the issue.
- Offer an in-person meeting with the survivor, law enforcement, and a SASP advocate to discuss case developments in-person. Considerations for the first in-person meeting include: being prepared to present all case-related information; offering a location that is the most



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comfortable for the survivor based on their needs, which may include the survivor's home, a police station, the DA's office, or a space in the community that provides privacy.

- Additional considerations for ensuring a survivor-centered response and potential accommodations needed:
 1. Cultural awareness;
 2. Age: If the victim is an older adult (65+) or a late adolescent/young adult;
 3. Mental or physical ability: If the survivor experiences any mental or physical disability that may interfere with communication, mobility, cognitive functioning, stability or emotional well-being;
 4. If the survivor is experiencing homelessness or housing instability;
 5. If the survivor is male;
 6. If the survivor is a transgender person;
 7. If the survivor has additional needs or services that may need to be addressed;
 8. If the survivor needs an interpreter or language line to properly communicate with an Advocate or Law Enforcement;
 9. If the suspect is a member of the survivor's family or closely known by the survivor;
 10. If the case has media coverage or is subject to media coverage.
- After the initial contact is made, law enforcement and the SASP advocate meet with the survivor in person if the survivor chooses this option.

Law enforcement presents new information from SAEK analysis, including new lab information and its meaning; information from the DA's office, if known; alleged offender information, if known; and the possibilities of where this case could go (including information on the statute of limitations). Law enforcement should be prepared to discuss issues related to the backlog and any related questions. Law enforcement will also inquire if the survivor desires to continue with the investigation and participate in the process with the understanding that the survivor may need time to process the new information before deciding whether or not to proceed.

The advocate will discuss emotions, re-traumatization, and will provide resources for the survivor. If an advocate does not accompany, law enforcement will provide contact information to the local Sexual Assault Service Program and ask the survivor if the advocate may contact them within 72 hours, and obtain the best way to contact the survivor if they desire contact. This will be offered to all survivors, regardless of whether or not they desire to continue with the investigation. Survivors shall be provided with a comprehensive resource list, which includes their case number, name and contact information for law enforcement and the SASP advocate, statute of limitations date, SASP and community resources, and the location of the offender, if known.

- The survivor is offered the opportunity to make a plan for future contact with the advocate:

The survivor may wish to access on-going advocacy and/or additional SASP services, and the advocate helps to facilitate this.

The survivor may decide not to participate in the investigation, and may accept advocate follow-up within a time frame to be determined by the survivor with the advocate.

The survivor may need time to consider participating in the investigation, and may accept advocate follow-up within a time frame to be determined by the survivor with the advocate.